IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.397 2004

Mr.Ramchandra Parshuram Nikam ..Petitioner.

Vs.

The Saraswat Co-operative
Bank Ltd. & Ors. ..Respondents.

Mr.S.P.Mishra, Advocate for the Petitioner.

Mr.Y.R.Naik, Advocate for the Respondent No.1.

Mr.Uday Shankar Saundralal, Advocate for Respondent No.3.

CORAM: S.U.KAMDAR, J.
DATED: 15TH DECEMBER, 2004

P.C. :

Mr.Mishra, the learned counsel appearing on behalf of the Petitioner states that in view of the expiry of auditor's period of 31.3.2004, he seeks to withdraw the present Petition. Mr.Mishra contends that he desires to challenge the subsequent appointment.

2. In my opinion, the subsequent appointment is a new cause of action and, he is at liberty to do so, if so advised.

3. The Petition is accordingly allowed to be

withdrawn. There shall be no order as to costs.